

Message Text

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ORIGIN EA-10

INFO OCT-01 ISO-00 SCS-02 SCA-01 /014 R

DRAFTED BY EA/TB - VLTOMSETH:MFG

APPROVED BY EA/TB - GBROBERTS

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R 152316Z OCT 74

FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK

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E.O. 11652: N/A

TAGS: CFED, TH

SUBJECT: U.S. CUSTOMS

REF: A. BANGKOK 16413; B. STATE 224243

1. WE APPRECIATE THE PROBLEM THE EMBASSY FACES, AND IN AN EFFORT TO KEEP ON TOP OF THE CASE WE SPOKE BY PHONE TO KITTI OCT 15 AND POINTED OUT HIS RIGHT TO PETITION CUSTOMS FOR ADDITIONAL RELIEF. HE SAID THAT HE HAD ALREADY COMPLETED THE NECESSARY FORMS BUT IS AWAITING A LETTER FROM HIS FATHER WHICH HE INTENDS TO ATTACH TO HIS PETITION. HE IS AWARE THAT HE MUST FORWARD HIS PAPERS TO CUSTOMS BY EARLY NOVEMBER. KITTI DEMONSTRATED A RELAXED ATTITUDE AND AN EXCELLENT COMMAND OF ENGLISH DURING THE CONVERSATION.

2. KITTI DID NOT INDICATE WHAT HIS FATHER MIGHT SAY IN HIS LETTER, BUT WE ARE CONCERNED THAT HE MAY DO HIS SON MORE HARM THAN GOOD IF HIS APPROACH IS TO THREATEN RETALIATORY ACTION AGAINST US CITIZENS COMING INTO THAILAND. CUSTOMS WAS COOPERATIVE IN OUR TELEPHONE CONVERSATION OCTOBER 10 AND EXPRESSED SENSITIVITY TO THE POSSIBLE RAMIFICATIONS OF ITS ACTION, BUT THEY LEFT THE DISTINCT IMPRESSION THAT AN ATTEMPT TO "FIX" THE CASE WOULD NOT BE WELCOMED. FOR THIS REASON AND BECAUSE KITTI STILL HAS LEGAL RECOURSE AVAILABLE TO HIM THROUGH HIS RIGHT TO PETITION FOR REDUCTION OF

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PENALTY, WE CONCLUDE IT WOULD BE COUNTERPRODUCTIVE FOR US

TO MAKE AN ADDITIONAL APPEAL AT THIS TIME ON KITTI'S BEHALF. WE HAVE ALERTED HONOLULU CUSTOMS TO THE IMPORTANCE WE ATTACH TO SEEING BOTH KITTI AND HIS FATHER SATISFIED THAT JUSTICE WAS DONE AND BELIEVE THIS IS THE MAXIMUM EXTENT WE CAN SAFELY INTRUDE OURSELVES INTO THE MATTER FOR THE MOMENT.

3. WE DO NOT KNOW ENOUGH ABOUT THE ARTICLES IN QUESTION OR THE CIRCUMSTANCES SURROUNDING KITTI'S FAILURE TO DECLARE THEM TO DETERMINE WHAT APPROACH OFFERS THE MOST HOPE OF FURTHER REDUCTION IN PENALTY. WE ASSUME HE WILL WANT TO CALL ATTENTION TO THE FACT THAT HE IS A FOREIGNER (AND THEREFORE UNFAMILIAR WITH US CUSTOMS REGULATIONS) AND THAT MOST OF THE ITEMS WERE USED. HIS FATHER MAY WISH TO MAKE THE SAME POINTS IN HIS LETTER. KISSINGER

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